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Date: Tuesday, September 12, 2000To: Examiner Jack Ford S/N 08/998,507Firm/Company: United States Patent and Trademark OfficeFax Number: (703) 305-3463Confirm Number (703) 308-2636From: Robert J. SchneiderMatter Number: 1704345Initials: RJSExtension: 3919

Comments:

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September 12, 2000

VIA FACSIMILE: 011 49 89 23 55 58 28

Uwe R. Borchert  
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Re: U.S. Patent Application No. 08/998,507  
Title: AIR CONDITIONING APPARATUS  
Applicant: Albert Bauer, 80939 München, DE  
Your Ref. No.: 50.915 US  
Our Ref. No.: 1704345

Dear Uwe:

Thank you for your letter of August 29, 2000. After several attempts, I have finally been able to contact Examiner Ford in connection with the above-captioned case. I have sent him via facsimile a copy of a proposed amendment, a copy of which is enclosed herewith, and hope to be able to resolve the status of this claim and file an amendment tomorrow placing the case in condition for allowance.

You will see that I have attempted to incorporate your concepts; however, it is generally not possible to use the alternative word "or" in claims of United States Patents. The Examiners often assert that the claim is indefinite.

The alternative we use is to claim one of (element a) and (element b) which provides a similar meaning.

If we are unable to convince the Examiner that these amendments place the case in condition for allowance, I would propose that we still file the amendment within the three-month time period, and then if necessary, respond to an advisory action of the Examiner or file a CPA application. Please let me know if you concur with this strategy.

Sincerely,

CHAPMAN AND CUTLER

By: 

Robert J. Schneider

RJS/bw  
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